

FILED  
GREAT FALLS, MT

2008 MAY 22 AM 10 11

PATRICK E. DUFFY, CLERK

BY \_\_\_\_\_  
DEPUTY CLERK

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

ROBERT L. ALLERY,

Petitioner,

vs.

MIKE MAHONEY; ATTORNEY  
GENERAL OF THE STATE OF  
MONTANA,

Respondents.

No. CV-07-92-GF-SEH

**ORDER**

United States Magistrate Keith Strong entered his Findings and Recommendation<sup>1</sup> on May 15, 2008. Plaintiff filed objections on May 20, 2008. The Court reviews *de novo* findings and recommendation to which objection is made. 28 U.S.C. § 636(b)(1).

Upon *de novo* review of the record, I find no clear error in Judge Strong's Findings and Recommendation and adopt them in full.

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<sup>1</sup> Docket No. 5.

ORDERED:

1. The Petition<sup>2</sup> and Amended Petition<sup>3</sup> for Writ of Habeas Corpus are DENIED.
2. The Clerk of Court is directed to enter judgment accordingly.
3. A certificate of appealability is DENIED because Petitioner has failed to show that his federally protected rights have been violated.

DATED this 22<sup>nd</sup> day of May, 2008.

  
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SAM E. HADDON  
United States District Judge

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<sup>2</sup> Docket No. 1.

<sup>3</sup> Docket No. 4.